



## NOTICE OF PROPOSED RULE ADOPTION

### STATE OF MISSISSIPPI Office of Dropout Prevention

Mississippi Department of Education  
c/o Sheril Smith  
Director of Office of Dropout Prevention  
Post Office Box 771  
Jackson, MS 39205-0771  
601-359-3177  
srsmith@mde.k12.ms.us

Specific Legal Authority authorizing the promulgation of Rule:  
Mississippi Code: Title 37 Education §37-13-91 Reference to Rules  
repealed, amended or suspended by the Proposed Rule : \_N/A

**Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:** Beginning with the 2005-2006 school year, state education agencies were required to report truancy rates on a school-by-school basis to the US Department of Education. However, there is currently no established MDE policy that defines the state's truancy calculation rate. In an effort to ensure compliance with federal guidelines, this policy sets forth the distinction between excused and unlawful absences and provides formulas for truancy, habitual truancy, suspension and expulsion rate calculations. This information will serve to establish a uniform reporting method. This new policy includes the following information:

- (1) Definition of terms related to truancy rate calculations;
- (2) Delineation between excused versus unlawful (unexcused) absences, pursuant to MS Code §37-13-91;
- (3) Clarification on how suspension days shall be counted for truancy purposes; and
- (4) Calculation formulas for:
  - a. Truancy Rate
  - b. Habitual Truancy Rate
  - c. Suspension Rate
  - d. Expulsion Rate

This rule is proposed as a ☒ Final Rule, and/or a ☐ Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

**Oral Proceeding:** Check one box below:

☐ An oral proceeding is scheduled on this rule on Date: {Insert Date} Time: {Insert Time}  
Place: {Insert Place}

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least \_\_\_\_ day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☒ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

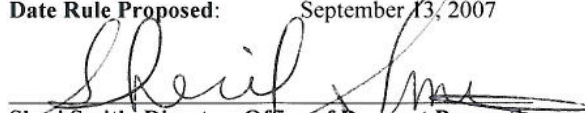
**Economic Impact Statement:** Check one box below:

- ☒ The agency has determined that an economic impact statement is not required for this rule, or
- ☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being proposed is attached.

Date Rule Proposed: September 13, 2007

Proposed Effective Date of Rule: October 19, 2007

  
Sheril Smith, Director, Office of Dropout Prevention